

**ZONING COMMISSION
PUBLIC HEARINGS
June 18, 2014**

Bill Stopper opened the Public Hearing with the following in attendance:

MEMBERS:

William Stopper, Chair
Sally Brouillet, Vice Chair
Richard Cool
April Slauson, Secretary, Absent
Kathy Donovan
Matthew DeBarber, Alternate, Absent
Neil Mascola, Alternate

OTHERS:

Wayne Zirolli, Borough Engineer
Sue Goggin, AZEO
Attorney Edward Fitzpatrick
Public - 13

6:15 P.M. PUBLIC HEARING- for a text addition to Section 32.2.1 regarding enclosing dumpsters and trash bins; Applicant: Naugatuck Zoning Commission

Sally explained that this is just a text addition so any applicant with a site plan or special permit must show on their site plan the dumpsters or trash bins enclosed. They are proposing the addition of #21 to section 32.2.1. There was no public comment.

6:30 P.M. PUBLIC HEARING- for a proposed community garden located at Cross Street School; Applicant: Borough of Naugatuck

Alex Olbrys, 608 Maple Hill Road, said the commission should have a copy of the waiver and the rules for the garden. Attorney Fitzpatrick said he discussed and reviewed the release/waiver and determined that the Borough has sufficient insurance to cover any hazard or occurrence of liability. There was a discussion over the number of plots and the number of parking spaces. Wayne explained the plan. Kathy expressed concern over the garden being used during school hours. Linda Ramos, 17 Carriage Drive, handed out a letter with reasons why a community garden is a good idea. She said the location was chosen for the water and because it is fenced in. She said it is a positive for the community. Peter Gordon, 47 Meadowbrook Place, said he doesn't want all the traffic on the cul-de-sac. He asked who is paying for it. He expressed concern over no background checks and letting people on school property. He said the Milford community garden looks awful. Richard Campanelli, 15 Meadowbrook Place, had a number of concerns:

1. That a community garden on school property is not safe for the children,
2. Concerned with the number of plots and the cost,
3. That the town will lose money on water use,
4. Works in Milford and the community garden there is an eyesore
5. There is too much traffic already on Cross Street
6. Thinks it should be located somewhere where it can be seen.

Chris Weady, 24 Meadowbrook Place, said he loves living on a dead end street. He said they were broken into 2 years ago, so he is sensitive to strangers on his street. He is also concerned that the plots will attract wildlife. He has spent a lot of money to protect his lawn from animals. He also said he is amazed that the town would want strangers on school property. Even if they are not allowed during school hours, there are a lot of after school activities. Paul Hrebik, 23 Meadowbrook Place, said he used to live in Milford

and had a plot in the community garden and it looks like a dump. He asked who would empty the garbage and who polices the hours of operation. He said he was concerned that parents would bring their kids who will use the open space. Another concern was that cars would be racing up and down the road. David Friedman, 146 Phoenix Avenue, said he admired the group of homeowners. He suggested some other sites that could be used. He offered his services because he has a degree in horticulture. Corey Fink, 146 Phoenix Avenue, said he supports the garden. He said it is important for kids learn. Chris Weady said instead of a community garden, maybe they could make it a school garden. Ronald Campanelli said they should let the children benefit. They should find another spot for the community garden. John Aguilar, 37 Citybrook Road, said it's not just good for the kids, it is good for the community. He said he is majoring in horticulture and would be glad to help with the installation of the garden. Linda Ramos, said in consideration of all the neighbors who spoke, she thinks that the community garden should not be at the pool. She said she will put together a program for a children's garden. Alex Olbrys said security is always a concern and after the comments heard tonight he agreed that it is not the right location. Rick Cool said he was concerned with the BOE approval. Alex said he was working with the BOE to see what the needs of the school are. Alex said he will speak with the BOE and look for another location for the community garden. There was a discussion that this is still a zoning issue. There was no more public comment. The public hearing was closed.

The meeting recessed at 7:35 P.M.

The meeting resumed at 7:40 P.M.

6:45 P.M. CONTINUED PUBLIC HEARING- for text amendments to Sections 24, 24.1, Schedule B, line 5.4, Section 24.4.10, Section 26.5.8, and additional language added to Section 24.4.3A; Applicant: Attorney Dominick Thomas

Attorney Dominick Thomas, offices at Main Street, Derby said he was there representing Cumberland Farms. He said he was there to respond to any questions. He said the proposed changes give the zoning commission discretion. There was a discussion over the proposed changes. There was no public comment. The public hearing was closed.

**NAUGATUCK ZONING COMMISSION
REGULAR MEETING
JUNE 18, 2014**

Bill Stopper opened the meeting with the following in attendance:

MEMBERS:

William Stopper, Chair
Sally Brouillet, Vice Chair
Richard Cool
Kathy Donovan
April Slauson, Secretary, Absent
Matthew DeBarber, Alternate, Absent
Neil Mascola, Alternate

OTHERS:

Wayne Zirolli, Borough Engineer
Sue Goggin, AZEO
Attorney Edward Fitzpatrick
Public - 13

1. At 6:00 P.M., Bill Stopper opened the meeting with the Pledge of Allegiance and then took attendance and noted there was a quorum. Neil Mascola was made a regular voting member.

2. Executive session with the Borough Attorney and the Zoning Commission.

There was no executive session.

3. Approval of the May 21, 2014 Meeting Minutes. The secretary will sign previously approved minutes.

VOTED: Unanimously on a motion by Rick Cool and seconded by Kathleen Donovan to **APPROVE** the May 21, 2014 Meeting Minutes.

4. **OLD BUSINESS:**

- A. Commission discussion/decision for a text addition to Section 32.2.1 (#21);
Applicant: Naugatuck Zoning Commission

VOTED: Unanimously on a motion by Kathy Donovan and seconded by Sally Brouillet to **APPROVE** a text change to 32.2.1, adding sub #21, as read by the Chair for dumpster enclosures.

- B. Commission discussion/decision regarding a Special Permit for a proposed community garden located at Cross Street School; Applicant: Borough of Naugatuck

There was no discussion.

- C. Commission discussion/decision for text amendments to Sections 24, 24.1, Schedule B, line 5.4, Section 24.4.10 and Section 26.5.8, additional language added to Section 24.4.3; Applicant: Attorney Dominick Thomas, Jr.

VOTED: Unanimously on a motion by Kathy Donovan and seconded by Sally Brouillet to **APPROVE** Section 24, 24.1, Schedule B, line 5.4 amended as

follows “from Residence District boundary line, additional setback at the discretion of the Borough Zoning Commission as proposed by the applicant, Cumberland Farms.”

VOTED: Unanimously on a motion by Kathy Donovan and seconded by Sally Brouillet to **APPROVE** the text change for Section 24.4.3a as proposed by the applicant Cumberland Farms as submitted.

VOTED: Unanimously on a motion by Kathy Donovan and seconded by Sally Brouillet to **APPROVE** the text changes to Section 24.4.10 to be amended as follows:

“The required setback shall not apply to fences or walls 6’ or less in height or to necessary retaining walls or to unroofed terraces, but no fence, wall or terrace shall be located within the right-of-way of any street **provided that, the Borough Zoning Commission shall have the authority to require fencing or walls greater than 6’ in height for the purpose of creating an appropriate buffer in accordance with Section 5.4 of Schedule B and Section 24.4.3a herein.** The frame or supporting members of the fence shall be on the installer’s side, the good or finished side of the fence shall face the street or the adjoining property owner.”

VOTED: Unanimously on a motion by Kathy Donovan and seconded by Sally Brouillet to **APPROVE** Section 26.5.8 to be amended as follows:

“Retail stores, business and professional offices, financial institutions, medical and dental clinics in the Business District #2: one (1) space for each **150** square feet of ground floor **patron** area of the building and one (1) space for each 300 feet of upper floor patron area, and located on a lot distant not more than 300 feet in a direct line from the building. **Patron area shall exclude common hallways, elevators, bathrooms, storage and other areas not for service to the public/customers.** Any parking area involving more than twenty-five (25) spaces shall submit an acceptable traffic flow pattern with visual enhancements to the Planning Commission.

- D.** Commission discussion/decision for a modification to a site plan located on City Hill Street (Active Adult Community) to reduce the number of units; Applicant: Attorney Kevin McSherry

Attorney McSherry hands out a revised plan to the commission. Matthew DuShea, P.E. with Milone and MacBroom explained the grading and landscaping plan. Wayne said they are not building the retaining wall, as in the original plan. He said they will be grading and seeding the slope which is a better idea. There was no further discussion.

VOTED: Unanimously on a motion by Rick Cool and seconded by Neil Mascola to **APPROVE** the modification to the site plan to reduce the number of units for the active adult community located on City Hill Street; Applicant: Attorney Kevin McSherry

- E.** Commission discussion/decision regarding Special Permit for proposed 4500 sq. ft. retail building to house a convenience store, a donut shop with drive-thru and gas station at 42-48 Prospect Street; Applicant: Remzi & Vesel Nasufi

There was no discussion.

- F.** Commission discussion/decision regarding a Special Permit for the earth excavation of more than 350 cubic yards of material from the rear bank on 42-48 Prospect Street; Applicants: Remzi & Vesel Nasufi

VOTED: Unanimously on a motion by Neil Mascola and seconded by Sally Brouillet to **ACCEPT** the application, **REFER** to Planning Commission, **SET** the Public Hearing for July 16, 2014 at 6:30 P.M. for a Special Permit for earth excavation of more than 350 cubic yards of material at 42-48 Prospect Street; Applicant: Remzi & Vesel Nasufi

5. NEW BUSINESS

- A.** Commission discussion with Borough Attorney regarding approved activities for Capital Quarry.

There was no discussion on this item. Attorney Fitzpatrick said he needs more information from zoning. He also wants all the information from Prospect. He said he hopefully will have more information for the commission at the next meeting. This will stay on the agenda.

- B.** Additional items require a 2/3 vote of the Commission.

There were no additional items.

6. Chairman Report

There was none.

7. Public Comment

There was none.

8. Adjournment

VOTED: Unanimously on a motion by Kathy Donovan and seconded by Neil Mascola to adjourn the meeting at 8:26 P.M.

RESPECTFULLY SUBMITTED:

April Slauson, Secretary/sg